

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
) Criminal No. 16-CR-300~~44~~-
 v.)
) **VIOLATIONS**
)
 ALBERTO MARTE,)
 MARCOS PENA,)
 GIOVANNI RODRIGUEZ,) 21 U.S.C. § 846 –Conspiracy to Distribute
 JOSE MIGUEL RAMOS,) and Possess with Intent to Distribute Heroin
 JULIEN DECLET,) (Count One)
 PABLO ROSARIO,)
 WILLIAM BRANTLEY,) 21 U.S.C. § 853 – Forfeiture Allegation
 JUAN PEREZ,)
 ANTHONY PATINO,)
 MIRELVY VASQUEZ,)
 DIOLFI ANTONIO MARTE-VASQUEZ,)
 ANYULY TAVAREZ,)
 CARLOS RIVERA a/k/a “SIERRA,”)
 and)
 EDUARDO FERNANDEZ a/k/a “JOSE)
 NARCISO ROSARIO,”)
 Defendants.)

INDICTMENT

The Grand Jury charges:

COUNT ONE: Title 21, United States Code, Section 846 - Conspiracy to Distribute and Possess with Intent to Distribute Heroin.

1. From about December 1, 2015, and continuing to on or about September 22, 2016, in Hampden County, in the District of Massachusetts,

ALBERTO MARTE,
MARCOS PENA,
GIOVANNI RODRIGUEZ,
JOSE MIGUEL RAMOS,
JULIEN DECLET,
PABLO ROSARIO,
WILLIAM BRANTLEY,
JUAN PEREZ,

ANTHONY PATINO,
MIRELVY VASQUEZ,
DIOLFI ANTONIO MARTE-VASQUEZ,
ANYULY TAVAREZ,
CARLOS RIVERA a/k/a "SIERRA," and
EDUARDO FERNANDEZ a/k/a "JOSE NARCISO ROSARIO,"

the defendants herein, knowingly and intentionally conspired, confederated and agreed together and with each other, and with other persons known and unknown to the Grand Jury, to commit the following offense against the United States: to distribute and possess with the intent to distribute a mixture and substance containing heroin, a Schedule I narcotic controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

It is further alleged that the offense described in Count One involved one kilogram or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance. Accordingly, Title 21 U.S.C. Section 841(b)(1)(A)(i) applies to this offense.

It is further alleged that, with respect to Count One, one kilogram or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, is attributable to, and was reasonably foreseeable by (1) ALBERTO MARTE and (2) WILLIAM BRANTLEY. Accordingly, Title 21, United States Code, Section 841(b)(1)(A)(i) is applicable to (1) ALBERTO MARTE and (2) WILLIAM BRANTLEY.

All in violation of Title 21, United States Code, Section 846.

DRUG FORFEITURE ALLEGATION
(Title 21, United States Code, Section 853)

The Grand Jury further charges that:

1. Upon conviction of the offense in violation of Title 21, United State Code, Section 846, set forth in Count One of this Indictment,

ALBERTO MARTE,
MARCOS PENA,
GIOVANNI RODRIGUEZ,
JOSE MIGUEL RAMOS,
JULIEN DECLET,
PABLO ROSARIO,
WILLIAM BRANTLEY,
JUAN PEREZ,
ANTHONY PATINO,
MIRELVY VASQUEZ,
DIOLFI ANTONIO MARTE-VASQUEZ,
ANYULY TAVAREZ,
CARLOS RIVERA a/k/a "SIERRA," and
EDUARDO FERNANDEZ a/k/a "JOSE NARCISO ROSARIO,"

defendants herein, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, jointly and severally, any property constituting, or derived from, any proceeds the defendants obtained, directly or indirectly, as a result of such offense; and any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense, including, but not limited to the following:

- a) one white 2015 Toyota Tundra, bearing vehicle identification number 5TFAY5F18FX418686, seized in Springfield, Massachusetts;
- b) one tan 2009 Nissan Rogue, bearing vehicle identification number JN8AS58V99W188561, seized in Springfield, Massachusetts;
- c) \$23,790 in United States currency, seized in Springfield, Massachusetts on September 22, 2016;
- d) \$52,232 in United States currency, seized in Springfield, Massachusetts on September 22, 2016;

- e) \$6,490 in United States currency, seized in Springfield, Massachusetts on September 22, 2016;
- f) \$537 in United States currency, seized in Springfield, Massachusetts on September 22, 2016;
- g) \$3,489 in United States currency, seized in Springfield, Massachusetts on September 22, 2016;
- h) one gray 2008 Volkswagen Touareg, bearing vehicle identification number WVGBE77L48D061032, seized in Springfield, Massachusetts;
- i) one brown 2011 GMC Acadia, bearing vehicle identification number 1GKKVPED3BJ174175, seized in Springfield, Massachusetts; and
- j) \$4,080 in United States currency, seized from 2011 GMC Acadia, bearing vehicle identification number, in Springfield, Massachusetts on September 22, 2016.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 21, United States Code, Section 853, as a result of any act or omission of the defendants,

- a) cannot be located upon the exercise of due diligence;
- b) has been transferred or sold to, or deposited with, a third party;
- c) has been placed beyond the jurisdiction of the Court;
- d) has been substantially diminished in value; or
- e) has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in Paragraph 1.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL



Foreperson of the Grand Jury



Neil L. Desroches
Assistant United States Attorney

DISTRICT OF MASSACHUSETTS:

Returned into the District Court by the Grand Jurors and filed on
October 13, 2016.



Deputy Clerk of Court